

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
**Franz-Josef RUBRODER et al.**

Examiner:  
**Chandra, Gyan**

Application No.:  
**10/796,160**

Art Unit:  
**1646**

Filed:  
**March 10, 2004**

Title  
**PROCESS FOR STABILIZATION OF PROTEINS IN COMPLEX MIXTURES DURING THEIR STORAGE  
 IN AQUEOUS SOLVENTS**

<b>CERTIFICATE OF EFS-WEB TRANSMISSION</b>	
I hereby certify that the correspondence below is being transmitted via the USPTO's electronic filing system in accordance with 1.6(a)(4), on	
<u>April 30, 2008</u>	
_____ <b>Date of Deposit</b>	
<u>/Delia Coughlin/</u>	
_____ <b>Signature</b>	

TO: Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Attached are the following documents:

		Number of Pages
<input type="checkbox"/>	Application Data Sheet	
<input type="checkbox"/>	Declaration	
<input type="checkbox"/>	Drawings	
<input type="checkbox"/>	Extension of Time	
<input type="checkbox"/>	Information Disclosure Statement and Form 1449	
<input checked="" type="checkbox"/>	Submission of Revised Appeal Brief	2
<input type="checkbox"/>	Specification, Claims and Abstract	Specification
		Claims
		Abstract
<input type="checkbox"/>	Transmittal Letter:	
<input checked="" type="checkbox"/>	Other (specify): <b>Appeal Brief</b>	10
<input type="checkbox"/>	Other (specify):	
<input type="checkbox"/>	Other (specify):	

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Commissioner for Patents  
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Alexandria, VA 22313-1450

**SUBMISSION OF REVISED APPEAL BRIEF**

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief sent April 16, 2008, please accept the attached revised Appeal Brief. The Notice at box 2 indicated that the brief did not contain: a statement of the status of all claims; see **(3) Status of Claims** (now indicating that claims 1-22 are not pending and canceled) or does not identify the appealed claims; see **(3) Status of Claims**; “Claims 23-69 are being appealed.” The Notice at boxes 4 and 10 requested reference to the specification by page and line number for the support for the claims. This material has been added at **(5) Summary of Claimed Subject Matter**.

**Remarks** are found beginning on **page 2** of this document.

REMARKS

*Conclusion*

In view of the above remarks and filing a revised Appeal Brief, Applicants respectfully request reconsideration and withdrawal of all pending objections and rejections. Applicants respectfully submit, that based on the record, the application is now in condition for allowance and request prompt issuance of a Notice of Allowance. Should the Examiner believe that anything further is desirable that might put the application in even better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

*Fees*

No fees not otherwise provided for are believed to be necessitated by the instant response. However, should this be in error, authorization is hereby given to charge Deposit Account no. 18-1982 for any underpayment, or to credit any overpayments

Respectfully submitted,



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Docket No. DEAV1999/L042 US CNT1